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| 10/087,595 | | 03/01/2002 | Chikao Nagasaka | 2842.08US01 | 7918 |
| 24113 | 7590 | 07/29/2003 | | | |
| | | JENTE, SKAAR | EXAMINER | | |
| 4800 IDS C 80 SOUTH | | EET | WILLIAMS, ERIC M | | |
| MINNEAPOLIS, MN 55402-2100 | | | | ART UNIT | PAPER NUMBER |
| | | | | 3681 | |
| | | | | DATE MAILED: 07/29/2003 | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary Examiner Exic M Williams Self Art Unit Art Unit Art Unit Art Unit Art Unit As HORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Elementor of time may be available under the provisions of 37 CFR 1.75(a). In no event, however, may a raphy be timely field after StX (9) WOMTH's from the mailing date of this communication. Elementor of time may be available under the provisions of 37 CFR 1.75(a). In no event, however, may a raphy be timely field after StX (9) WOMTH's from the mailing date of this communication. Elementor of traph is appelled sone, the maintimal dately periodived lappy will be the studency maintime to this, (20) days will be considered intoly. If No period for raphy is appelled sone, the maintimal date of the studency maintime of this, (20) days will be considered intoly. If No period for raphy is appelled sone, the maintimal date of the studency maintime of the considered intoly. If No period for raphy is applicated sone, the maintimal date of the studency maintime of the studency maintime of the consideration. Finally the provision of the state of the studency maintime | • | Application No. | Applicant(s) | | | | |
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| Eric M Williams 3681 | | 10/087,595 | NAGASAKA ET AL. | | | | |
| — The MALING DATE of this communication appears on th cover sheet with the correspondence address provided reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MALING DATE OF THIS COMMUNICATION. Estensions of time may be available used the piproximos of 3 CFR 1-136(a). In or event, however, may a reply be timely filed on the provided and the proximos of 3 CFR 1-136(a). In or event, however, may a reply be timely filed on the provided and the provided and the provided provided and the provided provided and the provided prov | Office Action Summary | Examiner | Art Unit | | | | |
| A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Estatutions of time may be available under the provisions of 37 CFR 1.15(a). In no event, horwers, may a reply be limitly filled Estatutions of time may be available under the provisions of 37 CFR 1.15(a). In no event, horwers, may a reply be limitly filled Estatutions of time may be available under the provisions of 37 CFR 1.15(a). In no event, horwers, may a reply be limitly filled Estatutions of reply spelified above, the maintening statution of 18 CFR 1.15(a) and 18 CFR 1.15(b). MONTHS from the maintening date of the communication of 18 CFR 1.15(a) and 18 CFR 1.15(a). If the period for reply is specified above, the maintening state of the scale of the scale of the communication of 18 CFR 1.15(a). If the period for reply price date is specified above, the maintening state of this communication, even if timely filed, may reduce any search planet term adjustment. See 37 CFR 1.704(b). Status 1) | | | | | | | |
| THE MAILING DATE OF THIS COMMUNICATION. Editacions or time may be available under the provisions of 3 CPR 1.136(a). In no event, however, may a reply be limely filed offer SIX (6) MONTRIS from the mailing date of the communication of the SIX (6) MONTRIS from the mailing date of the communication of the SIX (6) MONTRIS from the mailing date of the communication of the SIX (6) MONTRIS from the mailing date of the communication of the SIX (6) MONTRIS from the mailing date of this communication. Failure to reply within the set or extended period for reply well, by stability, acuse the application to become ABANDONED (SIX SIX 5). A ray reply covered by the Office acuse the thin these mention and the set of the communication of the SIX (6) MONTRIS from the mailing date of this communication, even if timely filed, may reduce any set of the | | pears on the cover sheet with the c | orrespondenc address # | | | | |
| 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-18 is/are pending in the application. 4a) Of the above claim(s) 1-7 and 12-18 is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are ellowed. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10 The drawing(s) filed on is/are: allowed or blood by the Examiner. Application Papers 9) The specification is objected to by the Examiner. 11 The proposed drawing correction filed on is/are: allowed by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12 The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13 Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All blooms of the priority documents have been received. 2 Certified copies of the priority documents have been received in Application No. 3 Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 10 Notice of References Cited (PTO-922) 11 Notice of Informal Patent Application (PTO-152) | THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1. after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a rep. If NO period for reply specified above, the maximum statutory period. - Failure to reply within the set or extended period for reply will, by statut. - Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b). | 136(a). In no event, however, may a reply be timely within the statutory minimum of thirty (30) days will apply and will expire SIX (6) MONTHS from e, cause the application to become ABANDONE | nely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133). | | | | |
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| 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152) | Attachment(s) | | | | | | |
| | 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) 🔲 Notice of Informal F | | | | | |

Application/Control Number: 10/087,595

Art Unit: 3681

DETAILED ACTION

 This action is in response to the application filed 03/01/2002 for serial number 10/087,595.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Election/Restrictions

3. Applicant's election without traverse of Fig. 5 in the papers filed 06/09/2003 is acknowledged. Claims 1-7 and 12-18 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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5. Claims 8 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Bates ('393).

Bates discloses a parking lock state releasing apparatus (Fig. 1) comprising a parking lock member (any member inside 14 controlling the parking lock), a power transmitting member (70), and a conventional movable member (50), wherein the power transmitting member is driven in response to operation of the movable member and the parking lock state of the transmission is changed in accordance with the driving of the power transmitting member.

Claim Rejections - 35 USC § 103

- 6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 7. Claims 9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bates ('393) in view of Gudlin DE 197 42 573 A1.

Bates lacks any specific disclosure of the power transmitting member being a lever. Gudlin discloses a cable device (14) controlled by a push/pull force of a lever Fig. 1 (10). It would have been obvious to one of ordinary skill in the art at the time of this invention to modify the power transmitting member of Bates such that it is a lever, in view of Gudlin, to control the operation of the power transmission via a push/pull force of a lever.

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Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Peterson et al. ('901), Stainton et al. ('126), Hirose et al. ('806), Anhert et al. ('799), Haupt ('556), and Schafer et al. US 2002/00841162A1 all disclose electronically controlled transmission systems.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric M Williams whose telephone number is 703-305-0607. The examiner can normally be reached on Mon. - Fri. from 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A Marmor can be reached on 703-308-0830.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

EMW

July 24, 2003

CHARLES A. MARMOR
SUPERVISORY PATENT EXAMINE: